

**Notice of Allowability**

Application No.

09/633,766

Examiner

Stephen M. D'Agosta

Applicant(s)

BATES ET AL.

Art Unit

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the BPAI decision rendered 6-26-07.
2. ☒ The allowed claim(s) is/are 1, 10-12 and 20-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material         | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____   |

## DETAILED ACTION

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Derek Martin on 8-14-2007.

- This examiner's amendment is in response to the 6-26-07 BPAI decision.
- Claims 1, 10-12 and 20-22 are allowed.
- Please cancel claims 2-9 and 13-19
- Please amend (or keep original) the claims as follows:

1. (Currently Amended) A satellite radio receiver comprising:

a satellite radio processor that receives a plurality of digital satellite radio signals on a plurality of channels, each digital satellite radio signal including a radio program and identifying information related to the radio program, the satellite radio processor outputting audio information corresponding to the radio program in one of the digital satellite radio signals that correspond to a selected channel; [[and]]

a display within the satellite radio receiver that is coupled to the satellite radio processor and that displays information regarding at least one channel that is not the selected channel, wherein the displayed information is derived from the identifying information for the at least one channel that is not the selected channel; and

a memory coupled to the satellite radio processor, the memory containing at least one channel preset and a list of favorite channels, wherein the at least one channel that is not the selected channel is in the list of favorite channels, wherein the list of favorite channels is determined by the satellite radio processor according to which channels are listened to most frequently.

10. (Original) A satellite radio receiver comprising:

(1) a satellite radio processor that receives a plurality of digital satellite radio signals on a plurality of channels, each digital satellite radio signal including a radio program and identifying information related to the radio program, the satellite radio processor outputting audio information corresponding to the radio program in one of the digital satellite radio signals that correspond to a selected channel;

(2) a display within the satellite radio receiver coupled to the satellite radio processor that displays:

(2A) information regarding the selected channel, wherein the information regarding the selected channel is derived from the identifying information for the selected channel and includes a title for the radio program corresponding to the selected channel and the time remaining for the radio program corresponding to the selected channel; and

(2B) information regarding at least one channel that is not the selected channel, wherein the information is derived from the identifying information for the at least one channel that is not the selected channel and includes a title for the radio program corresponding to the at least one channel that is not the selected channel and the time remaining for the radio program corresponding to the at least one channel that is not the selected channel;

(3) a memory coupled to the satellite radio processor, the memory containing:

(3A) at least one channel preset; and

(3B) a list of favorite channels, wherein the at least one channel that is not the selected channel is in the list of favorite channels.

11. (Original) The satellite radio receiver of claim 10 wherein the displayed information includes artist and song title for the radio program when the radio program comprises a musical radio program.

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12. (Currently Amended) A method for displaying radio program information to a user on a display within a satellite radio receiver, the method comprising the steps of:

receiving a plurality of digital satellite radio signals on a plurality of channels, each digital satellite radio signal including a radio program and identifying information related to the radio program;

outputting audio information corresponding to the radio program in one of the digital satellite radio signals that correspond to a selected channel; [[and]]

displaying information regarding at least one channel that is not the selected channel on the display, wherein the displayed information is derived from the identifying information for the at least one channel that is not the selected channel;

determining a list of favorite channels according to which channels are listened to most frequently; and

storing the list of favorite channels, wherein the at least one channel that is not the selected channel is in the list of favorite channels.

20. (Original) A method for displaying radio program information to a user on a display within a satellite radio receiver, the method comprising the steps of:

receiving a plurality of digital satellite radio signals on a plurality of channels, each digital satellite radio signal including a radio program and identifying information related to the radio program;

outputting audio information corresponding to the radio program in one of the digital satellite radio signals that correspond to a selected channel;

displaying information regarding the selected channel on the display, wherein the displayed information regarding the selected channel is derived from the identifying information for the selected channel and includes a title for the radio program corresponding to the selected channel and the time remaining for the radio program corresponding to the selected channel;

displaying information regarding at least one channel that is not the selected channel on the display, wherein the displayed information is derived from the identifying information for the at least one channel that is not the selected channel and includes a

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title for the radio program corresponding to the at least one channel that is not the selected channel and the time remaining for the radio program corresponding to the at least one channel that is not the selected channel; and

storing a list of favorite channels, wherein the at least one channel that is not the selected channel is in the list of favorite channels.

21. (Original) The method of claim 20 wherein the list of favorite channels is at least partially defined by at least one channel preset.

22. (Original) The method of claim 20 further comprising the step of determining the list of favorite channels according to which channels are listened to most frequently.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 571-272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

STEVE M. D'AGOSTA  
PRIMARY EXAMINER



8-15-07